

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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IRON MOUNTAIN INCORPORATED;  
IRON MOUNTAIN INFORMATION  
MANAGEMENT, INC.; C. RICHARD  
REESE; JOHN F. KENNY, JR.;  
GARRY B. WATZKE; LARRY L. VARN;  
and CHARLES G. MOORE,

Plaintiffs and  
Counterclaim-Defendants,

v.

THOMAS CARR,

Defendant and  
Counterclaim-Plaintiff.

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CIVIL ACTION  
NO. 05 10890 RCL

**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

In accordance with Local Rule 16.1(D)(3), counsel for Plaintiffs Iron Mountain Incorporated, Iron Mountain Information Management, Inc., C. Richard Reese, and Larry L. Varn (collectively, the “Plaintiffs”)<sup>1</sup> has conferred with the Plaintiffs or an authorized representative and hereby submits the following certification:

**Counsel and client hereby certify that they have conferred with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the above-captioned litigation and to consider the resolution of the litigation through the use of alternative dispute resolution programs such as mini-trial, summary jury trial, and mediation.**

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<sup>1</sup> On March 31, 2006, the court adopted the reports and recommendations of Magistrate Judge Collings granting in part and denying in part motions to dismiss filed in this action. As a result, all counterclaims against plaintiffs John F. Kenny, Jr., Garry B. Watzke, and Charles G. Moore have been dismissed.

Dated: May 30, 2006

**IRON MOUNTAIN INCORPORATED,  
IRON MOUNTAIN INFORMATION  
MANAGEMENT, INC., C. RICHARD  
REESE, and LARRY L. VARN**

By their attorneys,

/s/ Samuel A. Miller  
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**IRON MOUNTAIN INCORPORATED**

By its authorized representative,

/s/ Garry B. Watzke

**IRON MOUNTAIN INFORMATION  
MANAGEMENT, INC.**

By its authorized representative,

/s/ Garry B. Watzke

**C. RICHARD REESE**

/s/ C. Richard Reese

**LARRY L. VARN**

/s/ Larry L. Varn

**Certificate of Service**

I hereby certify that this **Certification Pursuant to Local Rule 16.1(D)(3)** filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 30, 2006.

/s/ Samuel A. Miller  
Samual A. Miller, Esq.